

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1307 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

ABDUL LATIF HAMID SHEIKH

Versus

STATE OF GUJARAT

Appearance:

MR MM TIRMIZI for Petitioner

PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 22/04/98

ORAL JUDGEMENT

1. Heard Ld.advocate Mr.M.M.Tirmiji for petitioner.
Leave to amend as prayed for is granted. Petitioner to carry out the amendment during the course of the day.
Rule. Mr.A.J.Desai, Ld.APP appearing for respondent-State waives service of rule. The petitioner has claimed fresh bail as the bail granted earlier vide order dated 2.2.98 was cancelled vide order, dated 19.3.98 passed by the

Ld.Addl.Sessions and Spl.Judge, Ahmedabad City, Court No.20.

2. It is submitted on behalf of the petitioner that while granting the bail the conditions a condition was imposed as per order dated 2.2.98 in Cri.Case Nop.438/98 restraining the petitioner's brother, namely, Mohammad Shafi Abdul Hamid Shaikh, @ Chunna Master from entering into the limits of Gaekwad Haveli Police Station till the chargesheet is filed. That the petitioner's brother, abovenamed, being a corporator was required to enter into the limits of said police station on account of sickness of his wife and thereby his bail was cancelled by the Ld.Addl.Sessions Judge as stated hereinabove.

3. In the facts and circumstances and in the interest of justice it is directed that the petitioner's brother, namely, Mohammed Shafi Abdul Hamid Sheikh, Chunna Master be admitted to bail on the terms and conditions as per the order dated 2.2.98 passed in Cri.Case No.438/98. However, condition No.2 restraining the petitioner's brother, abovenamed, from entering into the limits of Gaekwad Police Station is modified to the extent "that the petitioner is restrained from entering into the city limits of Ahmedabad till further orders". Rule is made absolute. No costs. DS permitted.

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